

C O N F I D E N T I A L SECTION 01 OF 03 KATHMANDU 002327

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SUBJECT: REVIEW OF STATE OF RELATIONSHIP WITH
VICE-CHAIRMEN GIRI AND BISTA

REF: A. KATHMANDU 2318
B. KATHMANDU 1090
C. USUN 2431
D. KATHMANDU 2209

Classified By: Amb. James F. Moriarty, Reason 1.4 (b/d)

Summary

¶1. (C) In separate meetings with Vice-Chairmen Dr. Tuls Giri and Kirti Nidhi Bista, the Ambassador expressed concern about recent developments in Nepal. The Ambassador shared the Department's October 24 statement on "The Government of Nepal's Seizure of Radio Equipment," stressing that the U.S. worried that the seizure and the recent media ordinance appeared at odds with the King's recent announcement of elections. Both Vice-Chairmen defended the government's actions, and Dr. Giri said that His Majesty's Government of Nepal (HMGN) would have to take more action against the Kantipur media group. The Ambassador expressed concern that HMGN, in seeking weapons from China, Russia and Pakistan, was giving the impression that it rejected the international community's call to reconcile with the political parties and reach agreement on the way back to democracy, and instead had decided to rely on other sources for weapons and use military might to stay in power. Both Vice-Chairmen countered that HMGN agreed that reconciliation was necessary and that it continued to hope the West would resume assistance. The Ambassador also raised the question of travel documents for Tibetan and Bhutanese refugees resident in Nepal, in light of recent information that the Ministry of Foreign Affairs had instructed the Home Ministry not to issue travel documents. The Vice-Chairmen said they were unaware of this and took the issue on board. End Summary.

Concern about Media Freedoms ...

¶2. (C) On October 25 The Ambassador shared with both Vice-Chairmen the Department's October 24 statement on "The Government of Nepal's Seizure of Radio Equipment" expressing disappointment and concern about the October 21 seizure of radio equipment from Kantipur FM radio station (ref A). Dr. Giri defended the government's action, claiming that Kantipur had illegally relayed its broadcast. V-C Bista asserted that the government acted because Kantipur was doing things prohibited by the ordinance. Both Vice-Chairmen cited India's prohibition against FM radio stations broadcasting news. Giri also stated that HMGN had to stop FM stations from broadcasting news in order to prevent the Maoists from taking advantage of the FM broadcasts. The Ambassador pushed back strongly, suggesting that it served Nepal to have centralized FM news broadcasts out of Kathmandu, and that a large conglomerate like Kantipur would be less susceptible to Maoist pressure. Giri demurred and stated that the government would have to take more action against Kantipur because it was "doing unwanted things at the moment." Bista, however, asserted that Nepal continued to have a free and open press and pointed to the English-language daily Kathmandu Post, part of the Kantipur conglomerate, as proof positive. HMGN had issued the new media ordinance to break up a monopoly, he claimed.

¶3. (C) The Ambassador cautioned that no matter its intention, implementation of the new media ordinance would affect how people viewed it. Midnight raids on media furthered the impression that the ordinance was intended to limit press freedoms. He added that the issuance of the ordinance at approximately the same time as the announcement of elections seemed to imply that the government sought to prevent a level playing field for the elections. Giri explained that the Cabinet had approved the ordinance four months ago (ref B), but had not released it at that time because of the outcry against the draft. He claimed the timing was coincidental and had nothing to do with the elections.

... And Elections

¶4. (C) The Ambassador pointed out that a free media was

necessary for free and fair elections. He disputed V-C Bista's claim that the national news agency, controlled by the government, could provide objective, fair information about the candidates and elections over radio broadcasts. Noting that HMGN had requested international assistance with elections (ref C), the Ambassador explained that we would need to see indications that the elections would be free and fair. The government would have to take steps to encourage the political parties to participate before we could provide assistance. Bista argued that it was in the interest of peace to have elections and that the U.S. and the international community should help Nepal and ensure that elections were conducted freely.

Following the Burma Model?

15. (C) Noting reports of a recent large arms purchase from China, the Ambassador raised concerns that Nepal was giving the international community the impression that the current government did not care about the international community's view that reaching out to the political parties was the best way forward. (Both Vice Chairmen also acknowledged Nepal's recent efforts to become closer with Russia and Pakistan.) The Ambassador worried that HMGN could back itself into a corner, becoming an international pariah relying on weapons alone to stay in power. Was Nepal following this sort of Burma model, because if it was, at some point the security services would need to fire on unarmed demonstrators to retain control?

16. (C) Both Vice-Chairmen hotly contested this concern. V-C Bista told the Ambassador that he should "dismiss it outright." Bista stated that Nepal still believed the U.S. was its good friend and was expecting assistance to resume in the future. Giri asserted that Nepal was different from Burma because there had not been a military coup. He also doubted that there would be mass protests, stating that the people did not support the political parties and the Parties could not afford to pay people indefinitely to come out into the streets. Giri stressed that if a crisis occurred, he would blame the West for creating the situation. He bemoaned the lack of understanding for what the King was trying to do. Giri stressed that the King would be happy in the future if he were provided some sort of veto power over legislation -- he did not want autocratic powers.

King has No Objection to Meeting the Political Parties

17. (C) Both Vice-Chairmen said they agreed that reconciliation between the political parties and the Palace was necessary. They asserted that the King was willing to meet the political party leaders, although Giri was apprehensive that the Party leaders might reject any advance from the King. The Vice-Chairmen placed the onus on the Parties to take the initiative, however, saying that the King had already opened the door. Giri noted his belief that the King would likely be more willing to talk with Nepali Congress President GP Koirala than CPN-UML General Secretary MK Nepal. Giri also discounted the Maoist threat; he said that the human rights offices were a bigger problem. He stated that he did "not take the Maoists as a political force." Both Vice-Chairmen appealed to the Ambassador for assistance in conveying to the political parties that the King was open to dialogue.

Travel Documents for Refugees Resident in Nepal

18. (C) The Ambassador expressed our concern to each of the Vice-Chairmen over recent reports that the Ministry of Foreign Affairs had instructed the Home Ministry not to issue travel documents to refugees resident in Nepal. He explained that there were several issues at play, with both the Tibetan and Bhutanese refugee populations. The United States had pending requests for 282 "following-to-join" cases of Tibetan refugees, where the applicants need travel documents to permit them to travel to join an immediate family member who has been granted asylum in the United States. In addition, we had discussed with Foreign Minister Pandey a USG proposal to resettle about 5,000 Tibetan refugees who were long-term residents of Nepal (ref D). We understood that we needed HMGN's cooperation to implement the program, and now worried about the implication of the new directive. (Note: We will seek clarification from Foreign Minister Pandey upon his return from Russia and Pakistan. The MFA apparently issued instructions to the Home Ministry on October 2 not to "issue Travel Documents, at any cost, to Bhutanese as well as Tibetan refugees in the days ahead" (October 20 letter from Home Ministry National Unit for the Coordination of Refugee Affairs to UNHCR). The Ambassador met with Foreign Minister Pandey on October 6 to discuss the Tibetan refugee resettlement proposal and FM Pandey made no mention of the MFA's October 2 instruction. End Note.) In addition, the U.S., and other western countries, were working to resettle

some particularly vulnerable cases of Bhutanese refugees who were at risk in the camps. We were waiting for travel documents for three orphaned young sisters, one of whom had been raped in the camp. The Ambassador reiterated that these vulnerable cases were being processed on humanitarian grounds and would not set a precedent with respect to the long-term resolution of the Bhutanese refugee problem.

19. (C) V-C Giri professed not to know anything about the issue of travel documents, but undertook to raise the matter with FM Pandey upon his return. He noted that pressure from China might have played a part in the decision regarding the Tibetan refugees, but added that he saw no reason why HMGN should not issue travel documents to the vulnerable Bhutanese refugees. Both Vice-Chairmen wondered if the U.S. could provide assistance to the Tibetan refugees to help them integrate into Nepal. The Ambassador explained that if HMGN were willing to integrate the Tibetans and provide them citizenship, that could be possible. He added, however, that given that HMGN considered the Tibetan refugees resident in Nepal as stateless, as well as the continuing pressure from China on Tibetan refugee issues, resettlement could prove beneficial to Nepal as well as the refugees. But first they would need travel documents. Bista said he did not know and would have to see.

Comment

10. (C) In seeking weapons to replace the supplies suspended by the U.S., UK, and India, HMGN has been attempting not only to ameliorate a serious and growing problem for the Royal Nepal Army but just as importantly to convince both domestic and international audiences that it has the backing necessary to continue on its current course. To the degree the King succeeds in portraying China as a backer that will do everything necessary to keep his regime afloat, his message to both Nepal's political parties and his country's traditional external friends will be that he has no need to compromise. In that context, both Giri and Bista appeared stunned by the Ambassador's reminder that such a course of action could ultimately result in HMGN becoming an isolated, international pariah relying solely on brute force and the backing of a single autocratic state to stay in power.

MORIARTY